IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPLICATION NO.474 OF 2007

Mohammed Shakir Abdul Malik Ansari .....Applicant.
Vs.
The State of Maharashtra .....Respondent.

Smt.Sarojini Upadhyay, adv. (appointed) for the Applicant.
Mr.Y.S.Shinde, APP for the Respondent/State.

CORAM : J.H.BHATIA, J.
DATE : JUNE 20, 2007.

P.C.

1. Heard Smt.Sarojini Upadhyay, adv. (appointed) for the Applicant and Shri Y.S.Shinde, APP for the Respondent/State.

2. The applicant Mohammed Shakir Abdul Malik Ansari is presently detained in the Central Jail, Thane in connection with certain offences in crime no.179 of 2004 and crime no.197 of 2004 of A.P.M.C. Police Station, Vashi. He is in jail since 24-11-2004. By this application sent through jail, he states that he is also required by Mahim police in crime no.280 of 2004 and when he is already in judicial custody, he may be taken in custody in crime no.280 of 2004 by Mahim police station also so that he may not be required to be arrested and put in judicial custody again if after trial in cases arising out of Vashi police station A.P.M.C. Police station, he is acquitted. Report is

received from Senior Police Inspector, Mahim police station, which shows that Sessions Case No.123 of 2005 arising out of Vashi police station is presently pending for final hearing before the Sessions Court at Thane and the next date is 28-6-2007. Chargesheet has been filed by Mahim police station in respect of 5 other accused but only because the present applicant is not arrested so far, chargesheet has not been filed. On instructions from the concerned police officer, Mr.Shinde makes a statement that the present applicant is not required for interrogation or for recovery of any property. Only his formal arrest is required to be made for the purpose of filing chargesheet against him. If it is so, police may move an application before the concerned Additional Sessions Judge at Thane and seek permission for formal arrest of the accused/applicant or police may file chargesheet against the present applicant specifically requesting the concerned Metropolitan Magistrate to issue production warrant to Thane Jail for production of said accused before the Court. Mr.Shinde makes a statement that police can file the chargesheet against the present applicant by following any of the above directions by the end of this month.

3. In view of this, no further direction is required.

4. Application stands disposed off.

[J.H.BHATIA, J.]